

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE PETITION OF PANDORA MEDIA, INC.

Civil Action No. 12-8035 (DLC) (MHD)

Related to

~~PROPOSED~~ ⁹ PRETRIAL
SCHEDULING ORDER

UNITED STATES OF AMERICA,

Plaintiff,

ECF CASE

v.

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS,

Civil Action No. 41-1395 (DLC) (MHD)

Defendant.

DENISE COTE, District Judge:

The following schedule shall govern the further conduct of pretrial proceedings in this case:

1. The parties shall seek to complete fact discovery substantially by **August 16, 2013**, with the understanding that fact discovery may continue until **September 27, 2013**.
2. The parties shall identify experts and disclose expert testimony conforming to the requirements of Fed. R. Civ. P. 26(a)(2)(B) by **August 23, 2013**.
3. The parties shall disclose rebuttal expert testimony by **September 17, 2013**.
4. The parties shall complete expert discovery by **September 27, 2013**.
5. The Joint Pretrial Order must be filed by **October 4, 2013**.

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As described in this Court's Individual Practices in Civil Cases, the following documents must be filed with the Pretrial Order: Proposed Findings of Fact and Conclusions of Law and a Memorandum of Law addressing all questions of law expected to arise at trial. Any responsive memorandum of law is due one week thereafter.

All direct testimony except for testimony of an adverse party, a party whose attendance must be compelled by subpoena, or a witness for whom a party has requested and the Court has agreed to hear the direct testimony at trial, shall be submitted by affidavits and served, **but not filed**, with the Joint Pretrial Order.

Those portions of depositions that are being offered as substantive evidence, along with a one page synopsis (with transcript citations) of such testimony for each deposition, shall be exchanged at the time the Pretrial Order is filed.

Three days after submission of the affidavits, counsel for each party shall submit a list of all affiants that he or she intends to cross-examine at the trial. Affiants for whom such notice is not given are not required to be present at trial.

Counsel will provide the Court with two (2) courtesy copies of all these documents at the time they are served, as well as one set of pre-marked exhibits assembled sequentially i) in a looseleaf binder, or ii) in separate manila folders labeled with the exhibit numbers and placed in a suitable container or box for ready reference.

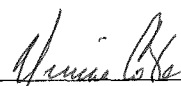
6. The parties shall file motions *in limine* and *Daubert* motions, if any, by **October 11, 2013**.

7. The parties shall file oppositions to motions *in limine* and *Daubert* motions, if any, by **October 21, 2013**.

8. The case shall be ready for trial by **November 4, 2013**.

Dated: July 3, 2013
New York, New York

SO ORDERED.



DENISE COTE
United States District Judge